

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ATLANTIC RECORDING CORPORATION, a	:	x
Delaware corporation; INTERSCOPE	:	
RECORDS, a California general partnership;	:	
VIRGIN RECORDS AMERICA, INC., a	:	
California corporation; CAPITOL RECORDS,	:	Civil Action No.: 1:06-cv-11490-PAC
INC., a Delaware corporation; and SONY BMG	:	
MUSIC ENTERTAINMENT, a Delaware general	:	
partnership,	:	
	:	Filed Electronically
Plaintiffs,	:	
	:	[PROPOSED] DEFAULT
-against-	:	JUDGMENT AND PERMANENT
	:	INJUNCTION
TINA DIVELLO,	:	
	:	
Defendant.	:	
	:	x

Based upon Plaintiffs' Application For Default Judgment By The Court, and good cause appearing therefore, it is hereby Ordered and Adjudged that:

1. Plaintiffs seek the minimum statutory damages of \$750 per infringed work, as authorized under the Copyright Act (17 U.S.C. § 504(c)(1)), for each of the seven sound recordings listed in Exhibit A to the Complaint. Accordingly, having been adjudged to be in default, Defendant shall pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to the Complaint, in the total principal sum of Five Thousand Two Hundred Fifty Dollars (\$5,250.00).
2. Defendant shall further pay Plaintiffs' costs of suit herein in the amount of Four Hundred Twenty Dollars (\$420.00).
3. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

- "I'm A Thug," on album "Thugs Are Us," by artist "Trick Daddy" (SR# 303-748);
- "Hey Baby," on album "Rock Steady," by artist "No Doubt" (SR# 305-872);
- "Back To Life," on album "Keep On Movin'," by artist "Soul II Soul" (SR# 105-226);
- "Just," on album "The Bends," by artist "Radiohead" (SR# 280-260);
- "Daughter," on album "Vs.," by artist "Pearl Jam" (SR# 207-219);
- "Freak On a Leash," on album "Follow the Leader," by artist "Korn" (SR# 263-749);
- "Ave Maria," on album "Christmas Stays The Same Featuring The Broadway Gospel Choir," by artist "Linda Eder" (SR# 303-773);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

DATED: _____

By: _____
Hon. Paul A. Crotty
United States District Judge